

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: ETHICON, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION

MDL No. 2327

(SEE ATTACHED SCHEDULE)

CONDITIONAL REMAND ORDER

The transferee court in this litigation has advised the Panel that coordinated or consolidated pretrial proceedings in the action(s) on this conditional remand order have been completed and that remand to the transferor court(s), as provided in 28 U.S.C. § 1407(a), is appropriate.

IT IS THEREFORE ORDERED that the action(s) on this conditional remand order be remanded to its/their respective transferor court(s).

IT IS ALSO ORDERED that, pursuant to Rule 10.2 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the transmittal of this order to the transferee clerk for filing shall be stayed 7 days from the date of this order. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel. This order does not become effective until it is filed in the office of the Clerk for the United States District Court for the Southern District of West Virginia.

IT IS FURTHER ORDERED that, pursuant to Rule 10.4(a), the parties shall furnish the Clerk for the Southern District of West Virginia with a stipulation or designation of the contents of the record to be remanded.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Jun 07, 2017

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

**IN RE: ETHICON, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION**

MDL No. 2327

SCHEUDLE FOR CRO

TRANSFeree	TRANSFERor	
<u>DIST DIV.</u>	<u>C.A.NO.</u>	<u>DIST DIV.</u>
WVS 2	12-02020	OHN 5
		12-01365
		Bates v. Ethicon, Inc. et al

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

DIANE BATES,

Plaintiff,

v.

CIVIL ACTION NO. 2:12-cv-02020

ETHICON, INC., et al.,

Defendants.

ORDER AND SUGGESTION OF REMAND

Pursuant to 28 U.S.C. § 1407 and the Rules for Multidistrict Litigation promulgated thereunder, specifically Rule 10.1(b), the court suggests that this action be remanded to the United States District Court for the Northern District of Ohio. All pretrial proceedings, including discovery and dispositive and *Daubert* motion practice, are substantially complete, and the case is ready for trial. I have attached a Suggestion of Remand Memorandum for the transferor court's reference.

Upon receipt of an order to remand from the Clerk of the Judicial Panel on Multidistrict Litigation ("MDL Panel") and any joint designation of the MDL 2327 record by counsel, the Clerk of this court is directed to transmit the following to the transferor court: (1) a copy of the member case docket sheet; (2) the entire file for the member case; (3) the docket sheet for MDL 2327, 2:12-md-2327; (4) all Pretrial Orders ("PTO") entered in 2:12-md-2327; and (5) any other filing from 2:12-md-2327 which the parties jointly designate. It is **ORDERED** that within seven (7) days of the MDL Panel's transmittal of the remand order to this court, the parties shall file a joint

designation of any non-PTO filings from 2:12-md-2327. Designations must include all general causation *Daubert* motions, responses and replies for any expert identified by the parties in this case.

The court **DIRECTS** the Clerk to send a copy of this Order and Suggestion of Remand to the Clerk of the MDL Panel, counsel of record and any unrepresented party.

ENTER: May 23, 2017



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE



Activity in Case MDL No. 2327 IN RE: Ethicon, Inc., Pelvic Repair System Products Liability Litigation CRO Final Minute Order (Clerks)
JPMLCMCF

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06/07/2017 09:21 AM

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United States

United States Judicial Panel on Multidistrict Litigation

Notice of Electronic Filing

The following transaction was entered on 6/7/2017 at 9:21 AM EDT and filed on 6/7/2017

Case Name: IN RE: Ethicon, Inc., Pelvic Repair System Products Liability Litigation

Case Number: [MDL No. 2327](#)

Filer:

Document Number: No document attached

Docket Text:

*****TEXT ONLY ENTRY*****

MINUTE ORDER - TO INVOLVED CLERKS - Conditional Remand Order Finalized on 6/7/17. Please see pleading ([2822] in MDL No. 2327, 7 in OHN/5:12-cv-01365).

A copy of the transferee court's Suggestion of Remand from the transferee court is attached to the Conditional Remand Order.

As stipulated in Rule 10.2(b) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the remand. The 7-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The order was entered pursuant to 28 U.S.C. 1407(a) which provides that each action so transferred by the Panel shall be remanded by the Panel at or before the conclusion of such pretrial proceedings to the district from which it was transferred. Parties are to furnish S.D. West Virginia with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleading or other matter filed to comply with the remand order.

Signed by Clerk of the Panel Jeffery N. Luthi on 6/7/2017.

Associated Cases: MDL No. 2327, OHN/5:12-cv-01365 (LH)

Case Name: Bates v. Ethicon, Inc. et al

Case Number: [OHN/5:12-cv-01365](#)

Filer:

Document Number: No document attached

Docket Text:

*****TEXT ONLY ENTRY*****

MINUTE ORDER - TO INVOLVED CLERKS - Conditional Remand Order Finalized on 6/7/17. Please see pleading ([2822] in MDL No. 2327, 7 in OHN/5:12-cv-01365).

A copy of the transferee court's Suggestion of Remand from the transferee court is attached to the Conditional Remand Order.

As stipulated in Rule 10.2(b) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the remand. The 7-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The order was entered pursuant to 28 U.S.C. 1407(a) which provides that each action so transferred by the Panel shall be remanded by the Panel at or before the conclusion of such pretrial proceedings to the district from which it was transferred. Parties are to furnish S.D. West Virginia with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleading or other matter filed to comply with the remand order.

Signed by Clerk of the Panel Jeffery N. Luthi on 6/7/2017.

Associated Cases: MDL No. 2327, OHN/5:12-cv-01365 (LH)

No public notice (electronic or otherwise) sent because the entry is private



Activity in Case MDL No. 2327 IN RE: Ethicon, Inc., Pelvic Repair System Products Liability Litigation Finalized Conditional Remand Order
JPMLCMECF

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JPMLCMDECF
06/07/2017 09:14 AM

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United States

United States Judicial Panel on Multidistrict Litigation

Notice of Electronic Filing

The following transaction was entered on 6/7/2017 at 9:14 AM EDT and filed on 6/7/2017

Case Name: IN RE: Ethicon, Inc., Pelvic Repair System Products Liability Litigation

Case Number: [MDL No. 2327](#)

Filer:

Document Number: [2822](#)

Docket Text:

CONDITIONAL REMAND ORDER FINALIZED (re: pldg. ([2810] in MDL No. 2327, 5 in OHN/5:12-cv-01365)) - 1 action(s) - Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 6/7/2017.

(Attachments: # (1) Suggestion of Remand)

Associated Cases: MDL No. 2327, OHN/5:12-cv-01365 (LH)

Case Name: Bates v. Ethicon, Inc. et al

Case Number: [OHN/5:12-cv-01365](#)

Filer:

Document Number: [7](#)

Docket Text:

CONDITIONAL REMAND ORDER FINALIZED (re: pldg. ([2810] in MDL No. 2327, 5 in

OHN/5:12-cv-01365) - 1 action(s) - Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 6/7/2017.

(Attachments: # [1] Suggestion of Remand)

Associated Cases: MDL No. 2327, OHN/5:12-cv-01365 (LH)

MDL No. 2327 Notice has been electronically mailed to:

Carl N Frankovitch carln@facslaw.com

Michael J. Farrell mjf@farrell3.com

Michael Bonasso mbonasso@fsblaw.com, etaylor@fsblaw.com, mdl@fsblaw.com,
nthompson@fsblaw.com

Harry F Bell, Jr hfbell@belllaw.com

DAVID B. THOMAS dthomas@tcspllc.com, rdavis@tcspllc.com

Paul T Farrell, Jr PAUL@GREENEKETCHUM.COM

Marc E. Williams marc.williams@nelsonmullins.com

MDL No. 2327 Notice will not be electronically mailed to:

OHN/5:12-cv-01365 Notice has been electronically mailed to:

Christy D. Jones christy.jones@butlersnow.com, MDL200MotionFilings@butlersnow.com,
MOMullan@RIKER.com, ashley.lampkin@butlersnow.com, brandy.pitts@butlersnow.com,
catherine.mason@butlersnow.com, ecf.notices@butlersnow.com, kcrawford@riker.com,
mkabbash@riker.com

William M. Gage william.gage@butlersnow.com, brian.jackson@butlersnow.com,
david.johnson@butlersnow.com, diane.wigley@butlersnow.com, ecf.notices@butlersnow.com,
jackie.johnson@butlersnow.com

DAVID B. THOMAS dthomas@tcspllc.com, rdavis@tcspllc.com

Philip J. Combs pcombs@tcspllc.com

Erica M. James erica.james@tuckerellis.com

Kari L. Sutherland kari.sutherland@butlersnow.com

Gregory H. Collins gcollins@cruglaw.com

Rita A Maimbourg rmaimbourg@tuckerellis.com

SUSAN M. ROBINSON srobinson@tcspllc.com

Jennifer Steinmetz jennifer.steinmetz@tuckerellis.com, Kristy.Titus@tuckerellis.com

OHN/5:12-cv-01365 Notice will not be electronically mailed to:

Laura H. Dixon
BUTLER SNOW
P. O. Box 6010
Ridgeland, MS 39158-6010

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

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Document description: Suggestion of Remand

Original filename:n/a

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